

**MINUTES OF THE
WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION
MEETING OF NOVEMBER 9, 2006**

MEMBERS PRESENT

John Cain
Don Crohan
Susan Fisher
John Lackey
Steve Lane
Robert Medaugh
Paul Pratt, Jr.
Jack Walton

STAFF PRESENT

Joe Horne, Community Development Director
Mike Matteson, Planning Director
Floyd Heflin, County Engineer
William Andrews, Assistant to the County Engineer
Ann Haines, Planner
Jama Olsen, Planner
Ann Shaffer, County Attorney
Sheila Myers, Planning Assistant
Lori John, Planning Secretary
Lania Escobar, Planning Secretary

The Williamson County Regional Planning Commission met in regular session Thursday, November 9, 2006, at 7:00 p.m., in the Auditorium of the Williamson County Administrative Complex. Commissioners Lamb, Murdic and Mosley were unable to attend.

Chairman Lackey called the meeting to order.

Mr. Horne made the following announcements:

1. Announcement of Steering Committee Meeting Tuesday, December 5, 2006 at 5:00 p.m. to be held in the 4th Floor Conference Room.
2. Withdrawal of Items 31, 32, 34, 35, 38 and 39.
3. Article from the Birmingham News regarding Williamson County.

CONSIDERATION OF MINUTES:

Chairman Lackey asked for a motion to consider the minutes of the October 12, 2006 meeting.

Commissioner Medaugh stated that a note should be added about the colluvial soils to Item 29.

A motion was made by Commissioner Lane to approve, and seconded by Commissioner Cain. The motion passed unanimously.

CONSENT AGENDA:

BONDS:

1. **Bell Pond** – Performance Bond for Water (N/CG Utility District) – \$31,000.
Recommendation: Convert to Maintenance in the amount of \$4,650 until April, 2007.
2. **Bell Pond** – Performance Bond for Roads, Drainage and Erosion Control - \$93,000.
Recommendation: Extend the current amount for six (6) months.
3. **Belle Chase, Section 1** – Performance Bond for Landscaping – \$1,950.
Recommendation: Extend the current amount for six (6) months and at the end of this time the project is not complete the bond will be called.
4. **Belle Chase, Section 1** – Performance Bond for Roads, Drainage and Erosion Control – \$186,000.
Recommendation: Extend the current amount for six (6) months.

5. **Cherry Valley** – Performance Bond for Roads, Drainage and Erosion Control – \$35,000.
Recommendation: Extend the current amount for six (6) months and that the retaining wall be constructed within this timeframe or the bond could be called.
6. **Grace Chapel** – Performance Bond for Landscaping – \$267,000.
Recommendation: Reduce amount to \$150,000 for a period of one (1) year.
7. **Grace Church** – Performance Bond for Landscaping – \$22,650.
Recommendation: Extend the current amount for six (6) months.
8. **Grove Park** – Performance Bond for Roads, Drainage and Erosion Control – \$75,000.
Recommendation: Extend the current amount for six (6) months.
9. **Laurelbrooke, Section 4** – Maintenance Bond for Roads, Drainage and Erosion Control – \$92,000.
Recommendation: Extend the current amount for six (6) months.
10. **River Landing, Section 1** – Maintenance Bond for Roads, Drainage and Erosion Control – \$50,000.
Recommendation: Extend the current amount for six (6) months.
11. **River Landing, Section 2** – Maintenance Bond for Roads, Drainage and Erosion Control – \$60,000.
Recommendation: Extend the current amount for six (6) months.
12. **River Landing, Section 3** – Performance Bond for Roads, Drainage and Erosion Control – \$90,000.
Recommendation: Extend the current amount for six (6) months.
13. **River Landing, Section 4** – Maintenance Bond for Roads, Drainage and Erosion Control – \$85,000.
Recommendation: Extend the current amount for six (6) months.
14. **River Landing, Section 5** – Maintenance Bond for Roads, Drainage and Erosion Control – \$30,000.
Recommendation: Extend the current amount for six (6) months.
15. **River Landing, Section 6** – Maintenance Bond for Roads, Drainage and Erosion Control – \$75,000.
Recommendation: Extend the current amount for six (6) months.
16. **River Landing, Section 7** – Maintenance Bond for Roads, Drainage and Erosion Control – \$33,000.
Recommendation: Extend the current amount for six (6) months.
17. **River Landing, Section 8** – Performance Bond for Roads, Drainage and Erosion Control – \$105,000.
Recommendation: Extend the current amount for six (6) months.
18. **Silver Stream Farms, Section 1A** – Performance Bond for Roads, Drainage and Erosion Control – \$84,000.
Recommendation: Extend the current amount for six (6) months.
19. **Silver Stream Farms, Section 1A** – Performance Bond for Water (N/CG Utility District) – \$17,500.
Recommendation: Convert to Maintenance in the amount of \$2,625 until February, 2007.

20. **Silver Stream Farms, Section 1A** – Performance Bond for Landscaping – \$32,350.

Recommendation: Extend the current amount for six (6) months.

21. **Stockett Creek, Section 1** – Performance Bond for Roads, Drainage and Erosion Control – \$206,000.

Recommendation: Extend the current amount for six (6) months.

22. **Stockett Creek, Section 1** – Performance Bond for Landscaping – \$82,000.

Recommendation: Extend the current amount for six (6) months.

23. **Summer Hill, Section 2** – Maintenance Bond for Roads, Drainage and Erosion Control – \$78,000.

Recommendation: Extend the current amount for six (6) months.

24. **Summer Hill, Section 3** – Performance Bond for Roads, Drainage and Erosion Control – \$40,000.

Recommendation: Extend the current amount for six (6) months.

25. **Watkins Creek, Section 1** – Performance Bond for Sewer Collection System – \$125,000.

Recommendation: Extend the current amount for one (1) year.

26. **Watkins Creek, Section 1** – Performance Bond for Sewer Treatment System – \$525,000.

Recommendation: Extend the current amount for one (1) year.

27. **Watkins Creek, Section 2** – Performance Bond for Roads, Drainage and Erosion Control – \$150,000.

Recommendation: Extend the current amount for six (6) months.

28. **Whitehall Farms, Section 3** – Maintenance Bond for Water (City of Franklin) – \$5,800.

Recommendation: Extend the current amount until April, 2007.

29. **Woods of Blackberry** – Maintenance Bond for Water (HB & TS) – \$15,554.

Recommendation: Release the bond.

FINAL PLATS:

37. **FINAL PLAT FOR BRIENZ VALLEY, SECTION 2, CONTAINING 9 LOTS ON 15.06 ACRES LOCATED OFF LEWISBURG PIKE IN THE 3RD VOTING DISTRICT (1-2006-427).**

This plat is in order. Approval is recommended pending:

1. Posting of a performance bond in the amount of \$56,000 for roads, drainage, and erosion control;
2. Posting of a maintenance bond for water facilities in the amount of \$6,615 as specified by H.B. & T.S. Utility District; and
3. Execution of a Stormwater Maintenance Agreement and submission of an Operation of Maintenance Plan for Stormwater Improvements.

40. **FINAL PLAT RE-APPROVAL FOR KINGS CHAPEL, SECTION 2A, CONTAINING 21 LOTS ON 22.02 ACRES LOCATED OFF MURFREESBORO ROAD IN THE 5TH VOTING DISTRICT (1-2006-429).**

This plat is in order. Approval is recommended pending:

1. Posting of a performance bond in the amount of \$200,000 for roads, drainage and erosion control;
2. Posting of a performance bond in the amount of \$95,000 in favor of Milcrofton Utility District for the water line and fire protection improvements;
3. Posting of a performance bond in the amount of \$105,200 for the sewer collection system;
4. Payment of funds in lieu of detention in the amount of \$11,454;
5. Execution and recording of a Stormwater Maintenance Agreement and submission of an Operation and Maintenance Plan for stormwater improvements;
6. Approval of the revised HOA documents by the County Attorney;
7. The addition of the following note with respect to lots deemed critical due to slopes – “Prior to permitting, all denoted lots shall provide a geotechnical assessment due to the slope and/or colluvial soil conditions. Additionally, engineered footings and inspection reports will be required for these lots.” and
8. Revision of flood plain boundaries per recent FEMA updates and verification that 100 year flood plain does not encroach on building envelopes.

There being no comments, Commissioner Pratt made a motion to accept Staff’s recommendation on the consent agenda items. Commissioner Crohan seconded the motion, which passed by unanimous vote.

PUBLIC HEARINGS

ITEM 30

AMENDMENT TO THE WILLIAMSON COUNTY ZONING ORDINANCE REGARDING EVENTS OF PUBLIC INTEREST EXTENSIVE IMPACT (6-2006-009).

Mr. Matteson reviewed the background (see Staff report) recommending approval of the proposed amendment.

Chairman Lackey opened the Public Hearing.

There being no one wishing to speak, Chairman Lackey closed the Public Hearing.

Chairman Lackey asked for comments.

Commissioner Walton wanted to know what the submittal deadline was.

Mr. Matteson stated that prior to the Board of Zoning Appeals meeting there is a three week deadline for submittal.

Commissioner Walton wanted to know if three weeks was sufficient time.

Mr. Matteson stated that it was.

There being no other comments, Commissioner Lane made a motion to accept Staff’s recommendation. Commissioner Cain seconded the motion, which passed by unanimous vote.

PRELIMINARY PLATS

ITEM 31

REVISED PRELIMINARY PLAT REVIEW FOR ABINGTON RIDGE, PHASE 3, CONTAINING 18 LOTS ON 16.42 ACRES LOCATED OFF ARNO ROAD IN THE 4TH VOTING DISTRICT (1-2006-315).

This item was withdrawn.

ITEM 32

PRELIMINARY PLAT REVIEW FOR ABINGTON RIDGE, PHASE 4, CONTAINING 11 LOTS ON 13.14 ACRES LOCATED OFF ARNO ROAD IN THE 4TH VOTING DISTRICT (1-2006-311).

This item was withdrawn.

ITEM 33

REVISED PRELIMINARY PLAT REVIEW FOR BELLE VISTA, PHASE 2, CONTAINING 30 LOTS ON 15.79 ACRES LOCATED OFF TOM ROBINSON ROAD IN THE 2ND VOTING DISTRICT (1-2006-316).

Mr. Matteson reviewed the background (see Staff report). Staff recommends approval of the preliminary plat.

In conjunction with final plat consideration, the following items must be addressed:

1. Establishment of performance bonds for roads, drainage, and erosion control;
2. Establishment of performance bond for water improvements in favor of HB&TS Utility District;
3. Establishment of performance bond for the sewer collection system;
4. Submission of landscaping plans and establishment of appropriate performance bond for landscaping;
5. Payment of \$467.50 per lot as mitigation funds in lieu of roadway improvements;
6. Execution of a Stormwater Maintenance Agreement and submission of an Operation and Maintenance Plan for stormwater improvements; and
7. The recording of a revised Section 1 plat depicting the loss of four lots and the resultant increase in open space.

Chairman Lackey asked for comments.

There being no comments, Commissioner Lane made a motion to accept Staff's recommendation. Commissioner Crohan seconded the motion, which passed by unanimous vote.

ITEM 34

PRELIMINARY PLAT REVIEW FOR BELLE VISTA, PHASE 3, CONTAINING 37 LOTS ON 20.49 ACRES LOCATED OFF TOM ROBINSON ROAD IN THE 2ND VOTING DISTRICT (1-2006-314).

This item was withdrawn.

ITEM 35

PRELIMINARY PLAT REVIEW FOR DELTA SPRINGS, CONTAINING 35 LOTS ON 61.72 ACRES LOCATED OFF S. CAROTHERS ROAD IN THE 4TH VOTING DISTRICT (1-2006-313).

This item was withdrawn.

ITEM 36

REVISED PRELIMINARY PLAT REVIEW FOR WATERBRIDGE, PHASE 1, CONTAINING 90 LOTS ON 155.34 ACRES LOCATED OFF NOLENSVILLE ROAD IN THE 2ND VOTING DISTRICT (1-2006-312).

Mr. Matteson reviewed the background (see Staff report). Staff recommends approval of the preliminary plat.

In conjunction with final plat consideration, the following items must be addressed:

1. Prior to consideration of final plat approval, the applicant shall submit HOA documents for review and approval by the County Attorney's office. The approved HOA documents must be recorded prior to the recording of the final plat;
2. Prior to consideration of final plat approval, construction of the wastewater treatment and disposal system shall be completed and approved by TDEC, an operating permit must be issued by TDEC, and certification of construction in accordance with approved plans must be submitted;
3. Prior to final plat submittal approval of Highway Entrance Permit and submission of turn lane plans approved by TDOT;
4. Establishment of performance bonds for roads, drainage, and erosion control. Such would include any off-site roadway improvements required by TDOT;
5. Establishment of a performance bond for water improvements in favor of Milcrofton Utility District;
6. Establishment of a performance bond for the sewer treatment and collection system as well as the back-up system;
7. Submission of landscaping plans and establishment of appropriate performance bonds for landscaping;
8. Execution of a Stormwater Maintenance Agreement and submission of an Operation and Maintenance Plan for stormwater improvements; and
9. Dedication of right-of-way 42 feet off centerline of Nolensville Road.

Chairman Lackey asked for comments.

There being no comments, Commissioner Cain made a motion to accept Staff's recommendation. Commissioner Lane seconded the motion, which passed by unanimous vote.

FINAL PLATS

ITEM 37

FINAL PLAT REVIEW FOR BRIENZ VALLEY, SECTION 2, CONTAINING 9 LOTS ON 15.06 ACRES LOCATED OFF LEWISBURG PIKE IN THE 3RD VOTING DISTRICT (1-2006-427).

Part of consent agenda.

ITEM 38

FINAL PLAT REVIEW FOR BURKE HOLLOW VALLEY FARMS, CONTAINING 8 LOTS ON 104.89 ACRES LOCATED OFF BURKE HOLLOW ROAD IN THE 5TH VOTING DISTRICT (1-2006-428).

This item was withdrawn.

ITEM 39

FINAL PLAT REVIEW FOR COVINGTON COVE, AN AGRICULTURAL SUBDIVISION, CONTAINING 4 LOTS ON 26.99 ACRES LOCATED OFF PATTERSON ROAD IN THE 3RD VOTING DISTRICT (1-2006-430).

This item was withdrawn.

ITEM 40

RE-APPROVAL FINAL PLAT REVIEW FOR KINGS CHAPEL, SECTION 2A, CONTAINING 21 LOTS ON 22.02 ACRES LOCATED OFF MURFREESBORO ROAD IN THE 5TH VOTING DISTRICT (1-2006-429).

Part of consent agenda.

ITEM 41

FINAL PLAT REVIEW FOR PEACEFUL HAVEN FARMS, LARGE LOT EASEMENT SUBDIVISION, CONTAINING 6 LOTS ON 63.20 ACRES LOCATED OFF WALKER HILL ROAD IN THE 2ND VOTING DISTRICT (1-2006-431).

Ms. Haines reviewed the background (see Staff report). Staff recommends approval of the final plat pending:

1. Approval of individual septic systems via the Department of Sewage Disposal Management;
2. Waiver of Section 5.5 (5) c of the Williamson County Subdivision Regulations; and
3. Add a note to the face of the plat that any crossing of the Waterway Natural Areas would require an ARAP (Aquatic Resource Alteration Permit).

Chairman Lackey wanted to know if the waiver was for the posting of a bond.

Ms. Haines stated that it was.

Chairman Lackey asked for any comments.

Commissioner Fisher wanted to know what the surety was that the property owners would have potable water if the bonds were waived.

Ms. Haines stated the Subdivision Regulations state that the posting of a performance bond of \$5,000.00 a lot will act as surety that the lot will have potable water.

Chairman Lackey wanted to know if a note should be placed on the plat stating that water is not available to these lots.

Commissioner Walton agreed that there needed to be some kind of disclosure stating that these lots do not have water available.

There being no other comments, Commissioner Lane made a motion to accept Staff's recommendation with the added note to the plat that states "Potable water is not available to these lots". Commissioner Cain seconded the motion, which passed by unanimous vote.

CONCEPT PLAN

ITEM 42

CONCEPT PLAN REVIEW FOR LAUREL COVE, CONTAINING 830 LOTS ON 1,159 ACRES LOCATED OFF EUDAILEY-COVINGTON & ARNO ROAD IN THE 3RD VOTING DISTRICT (1-2006-111).

Mr. Matteson reviewed the background (see Staff report).

Mr. Philip Jones, the developer for this project was available for any questions.

Chairman Lackey asked for comments.

Commissioner Medaugh stated that he was concerned about the private golf course and could it be bonded up front due to previous residential golf courses not being completed and then being turned into additional lots.

Chairman Lackey stated that he would suggest to Staff to be overly sensitive to the history of this occurring.

Mr. Jones stated that Tentara Partners, Inc. is 100% funded. He further stated to staff at their first meeting that they would be more than willing to bond up front. He also stated they wanted to build the amenities and the golf course during the first phase of the development and suggested other phases be held in lieu of the golf course being completed.

Commissioner Lane suggested that the applicant look at the soils for the drip fields first to find the best soils for the disposal systems and work the development around that because we do not want the surplus soils that did not work for the development to become the disposal sites.

Mr. Jones stated that they had dedicated 124 acres for this.

Commissioner Lane stated that they need to be sure it is the proper soils.

Mr. Jones stated that they are doing a 50 foot grid and drilling right now.

There were no other comments.

No vote was required for this item.

OTHER BUSINESS

ITEM 43

INTER-PLANNING REVIEW FOR GREEN SPRINGS, CONTAINING 39 LOTS ON 204.10 ACRES LOCATED OFF OLD HARDING ROAD IN THE 1ST VOTING DISTRICT (7-2006-003).

Mr. Matteson reviewed the background (see Staff report).

Chairman Lackey asked for comments.

There were no comments.

No vote was required for this item.

ITEM 44

CONSIDER REQUEST BY THE CITY OF FRANKLIN TO DESIGNATE THE FRANKLIN MUNICIPAL PLANNING COMMISSION AS A REGIONAL PLANNING COMMISSION WITH AUTHORITY OUTSIDE ITS MUNICIPAL BOUNDARIES BUT WITHIN FRANKLIN'S URBAN GROWTH BOUNDARY (6-2006-010).

Mr. Horne reviewed the background (see Staff report).

Staff recommended the resolution opposing the designation of Franklin as the "regional planning commission within its UGB" be recommended to the County Board of Commissioners for adoption, and forwarded to Tennessee Department of Economic and Community Development and Local Government Planning Advisory Committee with said recommendation.

Chairman Lackey asked for comments.

Commissioner Pratt wanted to know from the County attorney if he had a piece of property on the edge of Franklin's Urban Growth Boundary and he wanted to develop it, would the City of Franklin be obligated to provide services for this property in a certain amount of time.

Ms. Shaffer stated that if the property has not been annexed by the city, then the city is not obligated to provide services.

Commissioner Pratt stated that this would mean if the city wanted to control the property then it should be annexed.

Chairman Lackey stated yes, that was correct.

Commissioner Lane wanted to know if anyone knew of any County Planning Commission that had granted this type of an approval to a Municipal Planning Commission.

Mr. Horne stated that he believed so, but that he has not done any research on this. He stated this occurs when you have only one city with the unincorporated County around it or if the unincorporated County has no zoning requirements so the City would make sure the zoning around them was in accordance with their zoning requirements.

Mr. Horne also stated that the County provides more than just planning services. The County provides roads, fire protection, police protection, etc. Once a municipality annexes a property the level of service is greater, such as the fire protection response time is better in the City than in the County.

However, there are a number of unanswered questions. The County and City could probably agree on small things and build from that.

Commissioner Lane wanted to know if there was any guidance given in the Chapter 1101 law.

Mr. Horne stated that it was inferred rather than given.

Commissioner Medaugh wanted to know why this was coming up again and what specific problem was the City having.

Mr. Horne stated that he felt it was due to some of the projects that have been approved in the last few months. For instance, a project on Henpeck Lane that the applicant wanted to go forward with and the City requested the Planning Commission defer this request until the City could annex the property; later the City chose not to annex.

There being no other comments, Commissioner Walton made a motion to accept Staff's recommendation. Commissioner Lane seconded the motion, which passed by unanimous vote.

ITEM 45

DISCUSSION OF THE WILLIAMSON COUNTY SUBDIVISION REGULATIONS REGARDING PLAT DIGITALIZATION

Mr. Horne reviewed the background (see Staff report).

Chairman Lackey asked for comments.

Commissioner Lane stated that this has already been started in other places.

Mr. Horne stated that he was concerned with the recorded plat and the electronic copy being the same. He stated that he would be talking with some surveyors to get their ideas on the proper formatting.

Chairman Lackey asked Mr. Tom King, Surveyor with Clifton and King, if he would give his thoughts on this.

Mr. King stated that this was already common practice. The main concern was being sure the recorded mylar copy and the electronic copy is the same. The best way for this to happen is if only the property lines, not the information attached to those lines (bearing of distance, etc.) are drawn. He does not believe that it is the County's or the Property Assessor's responsibility to verify this information. He stated that if the Surveyor is an ethical, licensed surveyor they should be cooperating with the County and there should not be a problem. He believes that the more information you have the more room there is for error. He stated that if you just put the lines, lot numbers and street addresses then this should be sufficient for the Property Assessor's needs. He believes this is a great idea and in fact he has already been submitting electronic copies.

Commissioner Lane stated that maybe some research should be done to find some format structures that have been created in Middle Tennessee that could be beneficial to start with.

Mr. Horne stated that we are only considering major subdivisions. The Property Assessor's office is not overly concerned with large lot easement subdivisions. He stated that he will poll some surveyors and ask them if they were asked for an electronic format, what format they would choose. Upon determining a format, Mr. Horne noted that a mechanism for verifying the approved plat and "electronic" plat are the same.

Mr. King agreed that if you supply the electronic copy up front then the probability for error is a lot higher.

Mr. Horne stated that for now the thought is to add a signature block on the mylar for the Property Assessor's office to sign off on verifying that both the recorded mylar and the electronic copy are the same.

Chairman Lackey requested that when Staff has this worked out that they report back to the Planning Commission.

There were no other comments.

No vote was required for this item.

ITEM 46

APPROVAL OF THE PLANNING COMMISSION MEETING SCHEDULE FOR 2007.

Chairman Lackey asked for any comments.

There being no comments, Commissioner Cain made a motion to accept the 2007 Schedule. Commissioner Lane seconded the motion, which passed by unanimous vote.

- - - - -

There being no further business, the meeting was adjourned at approximately 7:50 p.m.

APPROVED BY A MAJORITY VOTE BY THE WILLIAMSON COUNTY PLANNING COMMISSION ON DECEMBER 14, 2006.

_____ CHAIRMAN JOHN LACKEY